

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**
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UNITED STATES OF AMERICA,

Plaintiff,
-against-

05 Cv. 9105 (WHP)

**ANY AND ALL FUNDS IN ACCOUNT
NOS. 0720002445, et al.,**

NOTICE OF MOTION

Defendants-in-Rem,
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PLEASE TAKE NOTICE that, upon the accompanying memorandum of law and all prior papers and proceedings, claimant ANA I. ALMONTE will move this Court, before the Honorable William H. Pauley, III, District Judge, on January 6, 2006, at 9:30 a.m., or as soon thereafter as counsel may be heard, at the United States Court House, 500 Pearl Street, New York, New York, for an order dismissing the verified complaint *in rem* pursuant to Rule E(2)(a) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Rule 9(b) of the Federal Rules of Civil Procedure, and granting such other and further relief as the Court may deem just and proper.

Yours, etc.

IVAN S. FISHER
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New York, New York 10021
(212) 486-0001
Attorney for Claimant
Ana I. Almonte

Dated: New York, New York
December 12, 2005

TO: Clerk, United States District Court
Southern District of New York (by ECF)

Lisa A. Podewils-Korologos
Assistant United States Attorney (by ECF)